



Staff Report BZA15-001-VA

Crest I Perry Industrial Park II, Lot 19

Unpaved Storage Variance

Docket BZA15-001-VA- Crest I. The petitioner is requesting approval of a Variance of development standards for the purpose of allowing an unpaved parking area at the rear of the property. The subject property contains 2.9 acres and is located at 3921 Perry Boulevard, Lot 19 within the Perry Industrial Park II. The property is currently seeking a rezone from a split zoning I-1/I-2 to I-2 General Industry and classified as Medium Intensity Industrial in the Comprehensive Plan. The petitioner is Crest I, LLC and the owner is Valenti Held Real Estate Group.



History

The Perry Industrial Park is a 450 acre industrial development with sites available of various sizes. This area was rezoned by Boone County in 1998. Perry Industrial Park II was approved shortly thereafter by Boone County prior to 2000. The development contains 120 acres of industrial-zoned property.

The property to the west was approved by the WPC and developed in 2014. The property to the east was granted a Variance for the purpose of allowing an unpaved parking area at the rear of the property by the WBZA in 2014, and Development Plan approval by the WPC in 2014.

Site Location and Proposed Development

The site is located to the south side of Perry Blvd, east of SR 267. It is part of the Perry Industrial Park that is designed for light and heavy industrial development. The proposed facility will be a 24,000 square foot spec building that fulfills the rezoned I-2 property. The area behind the building will be used to store equipment. It will be enclosed with a 6ft high chain linked fence with vision slats- a replication of the property to the East of this parcel. This area will be surfaced with a quality crushed stone.

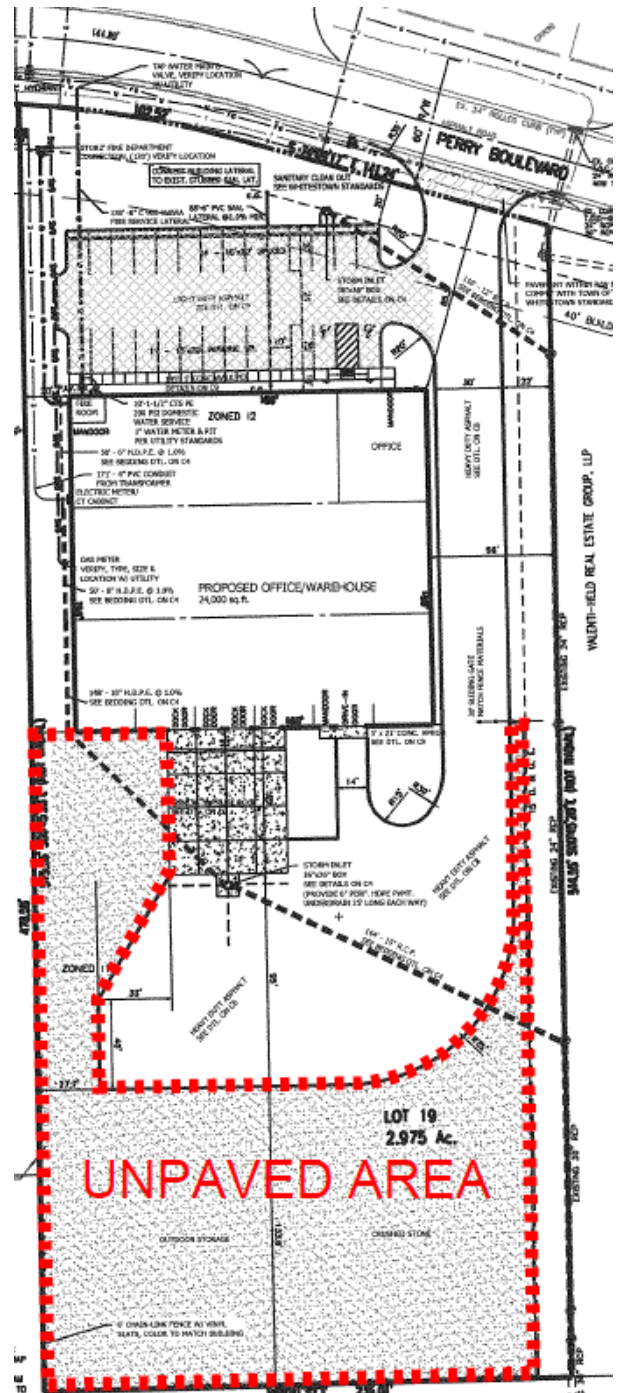
The property is currently zoned I-2 on the northern portion of the site and I-1 on the southern portion of the site. The petitioner is simultaneously seeking a rezone from the Plan Commission to zone the property I-2. This proposed zoning will provide consistency in zoning throughout the entire parcel. The rezone will allow the proposed facility to incorporate screened outdoor storage, as has the neighboring lot to the east.

Requested Variance

Omit the requirement that parking and loading areas be paved.

Zoning Ordinance, Section P.10. Parking and Loading Requirements

10. SURFACE. All parking or loading areas for five (5) or more automobiles shall be developed in accordance with the following standards:
 - a. Parking and loading areas shall be graded and **surfaced with an all-weather paving material such as asphalt, concrete, or other material** that will provide equivalent protection against potholes, erosion, and dust. However, a gravel surface may be used for a period of not exceeding one (1) year after the date of issuing the Certificate of Occupancy where ground conditions are not immediately suitable for permanent surfacing as specified in this section.
 - b. All areas shall be striped and channelized as appropriate. Parking stalls shall be marked and access the lines clearly defined, including directional arrows to guide internal movement.



Decision Criteria

Per the Zoning Ordinance, *Section X.C.5.a(3)* the Board of Zoning Appeals shall use the following three decision criteria, consistent with the requirements of the Indiana Code IC 36-7-4-918.5, when taking action on all variance requests:

1. The variances will not be injurious to the public health, safety, morals, and general welfare of the community.

The site and surrounding area are planned for industrial development where storage of equipment is permitted and necessary. No additional noise, pollution, or other disturbances to the public health, safety, morals, or general welfare will occur as a result of this variance.

2. The use or value of the area adjacent to the property included in the variances will not be affected in a substantially adverse manner.

The site and surrounding area are planned for industrial development and the variance request will not change the use or character of the area. The outdoor storage area will be in an area that is visually screened from neighboring properties.

3. The strict application of the terms of the Ordinance will continue the unusual and unnecessary hardship as applied to the property for which the variances are sought.

The strict application of the terms of the Ordinance, namely requiring paving for surfaces such as the outdoor storage area, would result in an inordinate amount of paved, non-permeable surface on a relatively small site, 2.975 acres, which is less environmentally friendly than the use of crushed stone and creates unusual and unnecessary issues related to site design and reduction of non-permeable surfaces. Maintaining a paved lot would be difficult with the nature of equipment being stored.

Staff Recommendations

Staff recommends that the Board of Zoning Appeals **approve with conditions** the variance to omit the requirement that parking and loading areas be paved.

Conditions:

1. *The variance would only apply to the area behind the building where heavy equipment is stored.*
2. *A 6' tall chain link fence with vision slats will be installed around the unpaved area.*